



STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

Amended License for Diversion and Use of Water

APPLICATION 13557

PERMIT 9103

LICENSE 5246

Page 1 of 3

THIS IS TO CERTIFY, That

Potter Valley Irrigation District
c/o Steve Elliott, Superintendent
P.O. Box 186
Potter Valley, CA 95469

Has the right to use waters of Powerhouse Canal in Mendocino County tributary to East Fork Russian River.

for the following purpose: Irrigation and Stockwatering

Amended License 5246 supersedes the license originally issued on July 2, 1958, which was perfected in accordance with the laws of California, the regulations of the State Water Resources Control Board (SWRCB) or its predecessor, and the terms of Permit 9103. The priority of this right dates from January 31, 1950. Proof of maximum beneficial use of water pursuant to Application 13557 was made as of July 11, 1956 (the date of inspection).

The amount of water that may be used under this license is limited to the amount actually beneficially used for the stated purposes and shall not exceed fifty (50) cubic feet per second to be diverted from about April 1 to about November 15 of each year.

The total amount of water diverted under this license and Licenses 1199 and 5545 shall not exceed 22,670 acre-feet per year.

Unless a change is approved by the SWRCB, water used under this license may be diverted, rediverted, stored and used only as specified below:

THE POINT OF DIVERSION IS LOCATED:

- 1) North 48° 14' East, 1,159.5 feet from W¼ corner of section 6, T17N, R11W, MDB&M, being within SW¼ of NW¼ of said section 6.
- 2) South 2,400 feet and East 600 feet from NW corner of section 6, T17N, R11W, MDB&M, being within SW¼ of NW¼ of said section 6.

A DESCRIPTION OF THE LANDS OR THE PLACE WHERE WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

A net of 4905.9 acres within a gross service area of 23,040 acres within the boundaries of Potter Valley Irrigation District in sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 32, 33, T17N, R11W, and sections 1, 12, 13, T17N, R12W, MDB&M, as shown on map on file with the SWRCB.

Diversions under this license together with diversions under Applications 5661 and 6594 shall not exceed 100 cubic feet per second, or such lesser combined amount as is confirmed by license issued on Application 6594, and which combined amount includes rediversions of waters stored under Applications 5661 and 6594.

Issuance of this license shall not operate to the prejudice of any prior rights, including rights acquired by the State Department of Finance under Applications 12917, 12918, 12919, and 12920, or to its successors in interest.

Licensee shall allow representatives of the SWRCB and other parties, as may be authorized from time to time by the SWRCB, reasonable access to project works to determine compliance with the terms of this license.

The quantity of water diverted under this license is subject to modification by the SWRCB if, after notice to the licensee and an opportunity for hearing, the SWRCB finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the SWRCB finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the SWRCB in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the SWRCB may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the SWRCB also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution article X, section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

This license does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the licensee shall obtain authorization for an incidental take prior to construction or operation of the project. Licensee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this license.

Reports shall be filed promptly by the licensee on the appropriate forms which will be provided for the purpose from time to time by the SWRCB.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and the licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the SWRCB.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article (of the Water Code) and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or

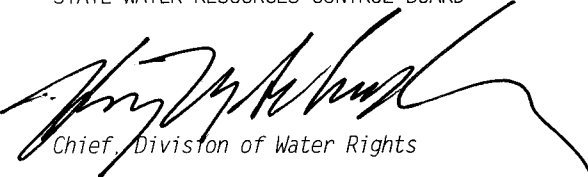
acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: APR 16 2001

STATE WATER RESOURCES CONTROL BOARD



Chief, Division of Water Rights

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

In the Matter of License 5246 (Application 13557)

Potter Valley Irrigation District

ORDER APPROVING CHANGES IN
AND AMENDING THE LICENSE

SOURCE: Powerhouse Canal

COUNTY: Mendocino

WHEREAS:

1. License 5246 was issued to Potter Valley Irrigation District on July 2, 1958, pursuant to Application 13557.
2. A petition to change the place of use was filed with the State Water Resources Control Board (SWRCB) on March 29, 1999, and the SWRCB has determined that good cause for such change has been shown. Public notice of the change was issued on April 14, 2000, and no protests were received.
3. The SWRCB has determined that the petition for change in place of use does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water. However, to clarify the extent of the right, a maximum annual use amount shall be added.
4. The license term relating to the continuing authority of the SWRCB should be updated to conform to section 780(a), title 23 of the California Code of Regulations.
5. The license term relating to the water quality objectives of the SWRCB should be updated to conform to section 780(b), title 23 of the California Code of Regulations.
6. Fish, wildlife, and plant species have been or may be listed under the federal Endangered Species Act and/or the California Endangered Species Act. A term should be placed in the license making the licensee aware of possible obligations resulting from these acts.

NOW, THEREFORE, IT IS ORDERED THAT LICENSE 5246 IS AMENDED TO READ AS FOLLOWS:

1. The total amount of water diverted under this license and Licenses 1199 and 5545 shall not exceed 22,670 acre-feet per year.
2. The condition of the license regarding the place of use be amended to read:
A net of 4905.9 acres within a gross service area of 23,040 acres within the boundaries of Potter Valley Irrigation District in sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 32, 33, T17N, R11W and sections 1, 12, 13, T17N, R12W, MDB&M.
3. The following conditions be added to the license:
4. The continuing authority condition, shall be updated to read as follows:

Pursuant to California Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our web-site at: <http://waterrights.ca.gov>."

5. The water quality objectives condition, shall be updated to read as follows:

The quantity of water diverted under this license is subject to modification by the Board if, after notice to the licensee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

(0000013)

6. License 5246 is amended to include the following Endangered Species condition:

This license does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the licensee shall obtain authorization for an incidental take prior to construction or operation of the project. Licensee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this license.

(0000014)

Dated: APR 16 2001

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED

BY HARRY M. SCHUELLER

Chief, Division of Water Rights



STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

Amended License for Diversion and Use of Water

APPLICATION 13557

PERMIT 9103

LICENSE 5246

Page 1 of 3

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Has the right to use waters of Powerhouse Canal in Mendocino County tributary to East Fork Russian River.

for the following purpose: Irrigation and Stockwatering

Amended License 5246 supersedes the license originally issued on **July 2, 1958**, which was perfected in accordance with the laws of California, the regulations of the State Water Resources Control Board (SWRCB) or its predecessor, and the terms of **Permit 9103**. The priority of this right dates from **January 31, 1950**. Proof of maximum beneficial use of water pursuant to **Application 13557** was made as of **July 11, 1956** (the date of inspection).

The amount of water that may be used under this license is limited to the amount actually beneficially used for the stated purposes and shall not exceed **fifty (50) cubic feet per second to be diverted from about April 1 to about November 15 of each year.**

The total amount of water diverted under this license and Licenses 1199 and 5545 shall not exceed **22,670 acre-feet per year.**

Unless a change is approved by the SWRCB, water used under this license may be diverted, rediverted, stored and used only as specified below:

THE POINT OF DIVERSION IS LOCATED:

- 1) North 48° 14' East, 1,159.5 feet from W¼ corner of section 6, T17N, R11W, MDB&M, being within SW¼ of NW¼ of said section 6.
- 2) South 2,400 feet and East 600 feet from NW corner of section 6, T17N, R11W, MDB&M, being within SW¼ of NW¼ of said section 6.

A DESCRIPTION OF THE LANDS OR THE PLACE WHERE WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

A net of 4905.9 acres within a gross service area of 23,040 acres within the boundaries of Potter Valley Irrigation District in sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 32, 33, T17N, R11W, and sections 1, 12, 13, T17N, R12W, MDB&M, as shown on map on file with the SWRCB.

Diversions under this license together with diversions under Applications 5661 and 6594 shall not exceed 100 cubic feet per second, or such lesser combined amount as is confirmed by license issued on Application 6594, and which combined amount includes rediversions of waters stored under Applications 5661 and 6594.

Issuance of this license shall not operate to the prejudice of any prior rights, including rights acquired by the State Department of Finance under Applications 12917, 12918, 12919, and 12920, or to its successors in interest.

Licensee shall allow representatives of the SWRCB and other parties, as may be authorized from time to time by the SWRCB, reasonable access to project works to determine compliance with the terms of this license.

The quantity of water diverted under this license is subject to modification by the SWRCB if, after notice to the licensee and an opportunity for hearing, the SWRCB finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the SWRCB finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the SWRCB in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the SWRCB may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the SWRCB also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution article X, section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

This license does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the licensee shall obtain authorization for an incidental take prior to construction or operation of the project. Licensee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this license.

Reports shall be filed promptly by the licensee on the appropriate forms which will be provided for the purpose from time to time by the SWRCB.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and the licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the SWRCB.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article (of the Water Code) and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or

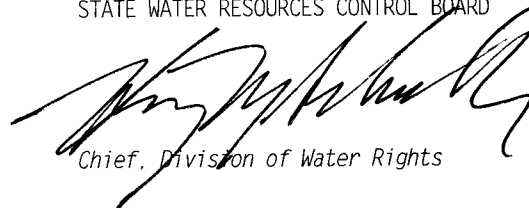
acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: **APR 16 2001**

STATE WATER RESOURCES CONTROL BOARD



Chief, Division of Water Rights

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 13557

PERMIT 9103

LICENSE 5246

ORDER ALLOWING CHANGE IN POINTS OF DIVERSION
AND PLACE OF USE

WHEREAS:

1. License 5246 was issued to Potter Valley Irrigation District and was filed with the County Recorder of Mendocino County on July 3, 1958.
2. An order correcting the name of the source was granted on October 23, 1975 and has been recorded with the County Recorder of Mendocino County on October 28, 1975 in Book 1017, Page 697.
3. A petition for change in point of diversion, and place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
4. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The points of diversion under this license shall be as follows:
 1. North 48° 14' East, 1,159.5 feet from W $\frac{1}{4}$ corner of Section 6, T17N, R11W, MDB&M, being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 6.
 2. South 2,400 feet and East 600 feet from the NW corner of Section 6, T17N, R11W, MDB&M, being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 6.
2. The place of use under this license shall be as follows:

4,500 acres net irrigated land within 6,100 gross acres within the new District boundaries located within Sections 5, 6, 7, 8, 17, 18, 19, 20, 21, 28, 29, 30, 32 & 33, T17N, R11W, MDB&M, Section 1, 12, & 13, T17N, R12W, MDB&M and Section 4, T16N, R11W, MDB&M and as shown on map on file with State Water Resources Control Board.

Dated: AUGUST 31 1984

for *L. D. Johnson*
Raymond Walsh, Chief
Division of Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 13557

PERMIT 9103

LICENSE 5246

ORDER FOR CORRECTION OF NAME OF SOURCE

WHEREAS:

1. The name of source in License 5246 has been found to be incorrect and the State Water Resources Control Board has determined that good cause for correction has been shown.


2. License 5246 was issued to Potter Valley ^{Irrigation} Sanitation District and was filed with the County Recorder of Mendocino County on July 3, 1958.

3. Correction of the name of source does not involve any physical change, and said correction will not operate to the injury of any other legal uses of water.

NOW, THEREFORE, IT IS ORDERED:

That the description of 5246 be corrected to:

POWERHOUSE CANAL TRIBUTARY TO EAST FORK RUSSIAN RIVER


R. L. ROSENBERGER, Chief
Division of Water Rights

Dated: OCT 23 1975



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 13557

PERMIT 9103

LICENSE 5246

THIS IS TO CERTIFY, That

Potter Valley Irrigation District
Potter Valley, California
c/o E. C. Pauli, Secretary

has made proof as of July 11, 1956
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
an unnamed stream in Mendocino County

tributary to East Fork Russian River

for the purpose of irrigation and stockwatering uses
under Permit 9103 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from January 31, 1950
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed fifty (50) cubic feet per

second to be diverted from about April 1 to about November 15 of each year.

The point of diversion of such water is located:

North forty-eight degrees fourteen minutes east (N48°14'E) one thousand one hundred
fifty-nine and five tenths (1159.5) feet from W₁¹ corner of Section 6, T17N, R11W,
MDB&M, being within Lot 3 (SW₁¹ of NW₁¹) of said Section 6.

A description of the lands or the place where such water is put to beneficial use is as follows:
4200 acres within a gross area of 5427.44 acres within the Irrigation District Boundaries
in Townships 16 and 17N, Ranges 11 and 12W, MDB&M, as shown on map filed with State Water
Rights Board.

Diversions under this license together with diversions under Applications 5661 and 6594
shall not exceed 100 cubic feet per second, or such lesser combined amount as is confirmed
by license issued on Application 6594, and which combined amount includes rediversions
of waters stored under Applications 5661 and 6594.

Issuance of this license shall not operate to the prejudice of any prior rights, including
rights acquired by the State Department of Finance under Applications 12917, 12918, 12919
and 12920, or to its successors in interest.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JUL 2 1958

L. K. Hill
L. K. Hill
Executive Officer



LICENSE 5246

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Potter Valley Irrigation
District

DATED JUL 2 1958

72849 3-35 5M ① SPO